

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

**COLLEGE REPUBLICANS OF THE
UNIVERSITY OF WASHINGTON;** et al.,

Plaintiffs,

vs.

ANA MARI CAUCE, in her official capacity
as president of the University of
Washington; et al.,

Defendants.

CASE NO. C18-189-MJP

**DECLARATION OF WILLIAM J.
BECKER, JR., IN SUPPORT OF
PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION;
EXHIBITS**

Note On Mot. Cal.: March 30, 2018

Judge: Hon. Marsha J. Pechman
Date: April 17, 2018
Time: 10:00 a.m.
Crtrm.: Suite 14206, United States
Courthouse, 700 Stewart
Street, Seattle, WA 98101-
9906

I, William J. Becker, Jr., declare as follows:

1. I am lead counsel for Plaintiffs College Republicans of the University of Washington and Chevy Swanson. The following facts and circumstances are personally known to me, and if called upon to do so, I could and would competently testify as to them.

3. Attached hereto and incorporated herein by reference is a true and correct copy of a letter I co-signed with the Media Research Council, various religious leaders and other representatives of conservative non-profits requesting the media stop its reliance of the extreme left-wing smear merchant Southern Poverty Law Center as a trusted source of information. The SPLC's "hate group" propaganda has been linked to two terrorist shootings in the D.C. area, and its egregious attacks on Christians, churches and mainstream conservative groups and individuals has resulted in them being ostracized, boycotting and other harms. For the University of Washington Police Department to rely on the SPLC as a source of information says all that needs to be said about either the left-wing bias of the declarants or the institution bias of the Department or how completely uninformed they are.

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I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 2nd day of April, 2018, at Los Angeles, California.

/s/ WILLIAM J. BECKER, JR.
WILLIAM J. BECKER, JR.

September 6, 2017

Dear Members of the Media:

We are writing to you as individuals or as representatives of organizations who are deeply troubled by several recent examples of the media's use of data from the Southern Poverty Law Center (SPLC). The SPLC is a discredited, left-wing, political activist organization that seeks to silence its political opponents with a "hate group" label of its own invention and application that is not only false and defamatory, but that also endangers the lives of those targeted with it.

The fifth anniversary has just passed of the terrorist event for which the SPLC's hate map and website were used to target its victims for political assassination. The following facts were established in the record of a federal court case. On August 15, 2012, Floyd Lee Corkins II entered the Family Research Council offices in Washington, D.C. and shot and badly wounded its building manager, Leo Johnson, who stopped his intended killing spree.¹ According to his own statements to the FBI, Corkins intended to kill everyone in the building, and then go on to terrorize additional organizations.

That day, Corkins carried both the means to carry out this act of terrorism and a list of additional targets. The U.S. Attorney stated in federal court that Corkins targeted FRC and the additional targets by using the SPLC website's "Hate Map." On February 6, 2013, Corkins pleaded guilty to three felonies, and became the first person convicted of violating the District of Columbia's Anti-Terrorism Act of 2002.²

We believe the media outlets that have cited the SPLC in recent days have not intended to target mainstream political groups for violent attack, but by recklessly linking the Charlottesville melee to the mainstream groups named on the SPLC website – those that advocate in the courts, the halls of Congress, and the press for the protection of conventional, Judeo-Christian values – we are left to wonder if another Floyd Lee Corkins will soon be incited to violence by this incendiary information.

¹ More recently, James Hodgkinson, the attempted political assassin of House Whip, Rep. Steve Scalise and many other Republican members of the U.S. House and Senate, was discovered by the public to have "liked" the SPLC on Facebook. Paul Bedard, *Washington Examiner*, "Support for Southern Poverty Law Center Links Scalise, Family Research Council Shooters" (June 14, 2017). Scalise had for years been the subject of the SPLC's vitriol. Tyler O'Neil, *PJ Media*, "CNN Goes Full 'Fake News'" (Aug. 18, 2017) (<https://pjmedia.com/trending/2017/08/18/cnn-adopts-far-left-hate-list-from-terror-linked-organization/>).

² If Corkins had been successful, his killing spree could have rivaled that of the Pulse Nightclub in Orlando, Florida. See: Cratty, Carol and Michael Pearson, CNN, "DC shooter wanted to kill as many as possible, prosecutors say" (February 7, 2013) (<http://www.cnn.com/2013/02/06/justice/dc-family-research-council-shooting/index.html>). Corkins was sentenced to 25 years in prison. The crime was so significant that the former National Museum of Crime and Punishment, located in Washington, D.C., has opened a multi-year exhibit on this act of domestic terrorism. Penny Starr, CNS News, "Domestic Terror Attack on Family Research Council in New Exhibit at National Crime Museum" (March 20, 2015).

The SPLC is an attack dog of the political left. Having evolved from laudable origins battling the Klan in the 1970's, the SPLC has realized the profitability of defamation, churning out fundraising letters, and publishing "hit pieces" on conservatives to promote its agenda and pad its substantial endowment (of \$319 million). Anyone who opposes them, including many Protestants, Catholics, Jews, Muslims, and traditional conservatives is slandered and slapped with the "extremist" label or even worse, their "hate group" designation.³ At one point, the SPLC even added Dr. Ben Carson to its "extremist" list because of his biblical views (and only took him off the list after public outcry).

To associate public interest law firms and think tanks with neo-Nazis and the KKK is unconscionable, and represents the height of irresponsible journalism. All reputable news organizations should immediately stop using the SPLC's descriptions of individuals and organizations based on its obvious political prejudices.

Laird Wilcox, one of America's foremost genuine experts on political extremist organizations, has said of the SPLC: "What they do is a kind of bullying and stalking. They pick people who are vulnerable in terms of public opinion and simply destroy them." Comparing his research to the SPLC group lists, Wilcox concluded that SPLC's work was completely unreliable.⁴

Writing at *Harper's*, journalist Ken Silverstein also noted how fast and loose the SPLC plays with derogatory labels like "hate" and "extremism:" "In doing so, the SPLC shuts down debate, stifles free speech, and most of all, raises a pile of money, very little of which is used on behalf of poor people."⁵

There are many others who agree with this determination and have raised questions about the SPLC. On October 18, 2013, the Secretary of the Army, John McHugh, a former member of the House of Representatives, disassociated his service from the use of SPLC materials on two occasions. He wrote that "[m]edia accounts have highlighted instances of Army instructors supplementing programs of instruction and including information of material that is inaccurate, objectionable and otherwise inconsistent with current Army policy."⁶ Furthermore, in March 2014, the FBI removed the SPLC as a

³ Ben Carson had the unfortunate distinction of making the SPLC's list in 2014, though the criticisms from the public were so vehement that the SPLC was pressured into removing him. Fox News staff article, "Southern Poverty Law Center Apologizes to Ben Carson, Takes Him off 'Extremist' List" (Feb. 12, 2015) (<http://www.foxnews.com/politics/2015/02/12/southern-poverty-law-center-apologizes-to-ben-carson-takes-him-off-extremist.html>).

⁴ Laird Wilcox, *Social Contract*, "An Expert on Fringe Political Movements Reflects on the SPLC's Political Agenda" (Spring 2010) (<http://downloads.frc.org/EF/EF17H34.pdf>): 182-191.

⁵ Ken Silverstein, *Harpers*, "'Hate,' Immigration, and the Southern Poverty Law Center" (March 22, 2010) (<https://harpers.org/blog/2010/03/hate-immigration-and-the-southern-poverty-law-center/>).

⁶ Secretary of the Army John M. McHugh, Department of the Army, Memo for Distribution, "Standardization of Equal Opportunity Training with the Army," October 18, 2013 (<http://downloads.frc.org/EF/EF13J55.pdf>).

“trusted resource” from its Hate Crimes resources page.⁷ For years, experts and journalists have cast doubt on the integrity of the SPLC’s methodology and the motives of its founder, Morris Dees.⁸

Finally, we will leave you with the observations of the U.S. Ambassador to Israel who had a great deal to say about the SPLC at an event in December, 2016. The SPLC attacked numerous critics of radical Islam in one of its recent publications, “A Journalist’s Manual: Field Guide to Anti-Muslim Extremists,” but the seventh profile was particularly disturbing.⁹ In it, the SPLC slandered human rights activist Ayaan Hirsi Ali, a woman who has experienced the violent and misogynistic side of Islam first-hand. The first sentence of the two-page section defaming her stated, “Ayaan Hirsi Ali is a Somali-born activist *who says she endured* female genital mutilation and fled civil wars and an arranged marriage in Africa.”

Ambassador Dermer was appalled by the attack launched upon Hirsi Ali by the SPLC.¹⁰ He made these observations about the SPLC at the end of a longer address to the Center for Security Policy on December 13, 2016 in New York City:¹¹

But the biggest shock of all came when I saw a name on that [SPLC] list of someone I regard as a hero - Ayaan Hirsi Ali.

For those of you who do not know Ayaan, she was the Dutch parliamentarian who in 2004 produced a film with Theo Van Gogh called *Submission*, which focused on the oppression of women in the Muslim world.

Because of that film, Van Gogh was assassinated by a fanatic Muslim and Ayaan was forced into hiding. She has had to live with death threats and under constant protection ever since.

⁷ Paul Bedard, “‘Shocked’ Anti-Defamation League Slaps FBI ‘Diss’ on Hate Crimes,” *Washington Examiner* (March 26, 2014).

⁸ A number significant articles on the SPLC: Mark Pulliam, *City Journal*, “Demagogic Bully,” (July 27, 2017) (<https://www.city-journal.org/html/demagogic-bully-15370.html>); Ben Schreckinger, *Politico Magazine*, “Has a Civil Rights Stalwart Lost Its Way?” (July/August 2017) (<http://www.politico.com/magazine/story/2017/06/28/morris-dees-splc-trump-southern-poverty-law-center-215312>); Karl Zinsmeister, *Philanthropy Roundtable*, “Some People Love to Call Names” (April 2017) (<https://archive.is/lpQ5k>); Charlotte Allen, *Weekly Standard*, “King of Fearmongers” (April 15, 2013): 18-25 (<http://www.weeklystandard.com/king-of-fearmongers/article/714573>); J.M. Berger, *Foreign Policy*, “The Hate List” (Mar. 3, 2013).

⁹ “A Journalist’s Manual: Field Guide to Anti-Muslim Extremists,” Southern Poverty Law Center (Oct. 2016), at 20-21; (<https://www.splcenter.org/20161025/journalists-manual-field-guide-anti-muslim-extremists#ali>) (emphasis added).

¹⁰ Gavin Rabinowitz, *Times of Israel*, “Defending Anti-Muslim Group, Israel’s Envoy to US Slams Racism Watchdog,” (Dec. 14, 2016) (<http://www.timesofisrael.com/defending-anti-muslim-group-envoy-to-us-slams-racism-watchdog>).

¹¹ Remarks, Israeli Ambassador to the United States, Ron Dermer, to the Center for Security Policy Gala Dinner, YouTube (New York City; Dec. 13, 2016) (begin 19:50; end 25:45) (<https://www.youtube.com/watch?v=tFNQPBmMd1k>).

Yet rather than cower in anonymity, Ayaan writes books, publishes articles, makes speeches and fights for her ideas – in particular the need for sweeping reform in the Muslim world.

Today, Ayaan Hirsi Ali is one of the world's great champions of freedom, pluralism and tolerance.

And every self-respecting group that claims to value any of those things should be defending her not defaming her.

Yet in an Orwellian inversion of reality, a woman whose life is threatened every day by extremist Muslims is labeled by the SPLC an anti-Muslim extremist.

Have those who put Ayaan on that list no shame? Have they no decency?

The SPLC and others who asked me not to come here tonight claim to support free and open debate. But in reality, they seem to want to stifle debate....

Unfortunately, some have amended that famous Voltairian dictum to be "I hate what you say and I will never defend your right to say it."

I will defame you as an extremist. I will label you a racist and a bigot. I will put you on the blackest of lists that should be reserved for Nazis, for the Klan, and for the true enemies of mankind.

Well, ladies and gentlemen, I don't stand with the defamers and the blacklists. I stand with Ayaan Hirsi Ali. We all should stand with Ayaan Hirsi Ali.

For if we do not stand with her, then the values she champions - the same values we cherish - will be under threat and the dangers we face will only grow.

We must not let the defamers and blacklists succeed....

We wonder how the media would react if a corresponding situation arose on the center-right of the political spectrum. For example, let's assume that congressional debate were raging as to whether or not taxpayers should continue to fund Planned Parenthood, which receives about \$500 million a year from Congress. If a national pro-life advocacy organization were to release a map with caricatures of abortionists and title it, "Here's Where the Baby Killers are Located in Your State," would the media run the story? Would it reprint the map and discuss the location of these "pro-death" doctors throughout the news day? Clearly, it would not.

Given the above points, and most alarmingly that the SPLC's "hate group" propaganda has been linked to two terrorist shootings in the D.C. area, we respectfully request that you cease using the SPLC's data and its various lists and maps in your reporting.

Sincerely,

L. Brent Bozell III
President
Media Research Center

Lt. General (Ret.) William G. Boykin
Executive Vice President
Family Research Council

Tony Perkins
President
Family Research Council

The Honorable Edwin Meese III
Ronald Reagan Distinguished Fellow Emeritus
The Heritage Foundation

Frank Gaffney
Founder, President & CEO
Center for Security Policy

Clare Lopez
Vice President for Research & Analysis
Center for Security Policy

Mat Staver
Founder & Chairman
Liberty Counsel

Brad Dacus
President & Counsel
Pacific Justice Institute

Michael Farris
President, CEO & General
Alliance Defending Freedom

Dr. Frank Wright
President & CEO
D. James Kennedy Ministries

Scott Walter
President
Capital Research Center

David Bozell
President
ForAmerica

William J. Becker, Jr.
President & CEO
Freedom X Law

David Yerushalmi
Robert Muise
Co-Directors
American Freedom Law Center

Brigitte Gabriel
Founder & Chairman
ACT for America

Gary Bauer
President
American Values

Robert Spencer
Director
Jihad Watch

David Barton
Founder & President
WallBuilders

Martin Mawyer
President
Christian Action Network

Tom Trento
Director
The United West

Dr. Michelle Cretella
President
American College of Pediatricians

Dr. Tom Benton
Fellow
American College of Pediatricians

Sandy Rios
Director of Government Affairs
American Family Association

Tim Wildmon
President
American Family Association

J. Christian Adams
President
Public Interest Legal Foundation

Trayce Bradford
President
Texas Eagle Forum

Andrea Lafferty
President
Traditional Values Coalition

Austin Ruse
President
C-FAM (Center for Family & Human Rights)

Professor Ryan Mauro
National Security Analyst
Clarion Project

Dale Wilcox
Executive Director & General Counsel
Immigration Reform Law Institute

Joe Farah
Founder & CEO
WND.com

Arthur Goldberg
Elaine Silodor Berk
Co-Directors
Jewish Institute for Global Awareness

Ann Corcoran
Editor
Refugee Resettlement Watch

Jenny Beth Martin
President & Co-Founder
Tea Party Patriots

James Simpson
Freelance Investigative Journalist
Crisisnow.net

Pamela Geller
Editor in Chief
American Freedom Defense Initiative

Michael Cook
Editor
Mercatornet.com

Richard Viguerie
Chairman
ConservativeHQ.com

George Rasley
Managing Editor
ConservativeHQ.com

Christopher Doyle
Political Consultant and Co-Coordinator
National Task Force for Therapy Equality
Equality And Justice For All

Cathy Hinnars
Founder
Dailyrollcall.com

Dr. Jennifer Morse
Founder and President
The Ruth Institute

Cathie Adams
Vice President
Eagle Forum

Tom DeWeese
President
American Policy Center

David Smith
Executive Director
Illinois Family Institute

Becky Gerritson
President
Wetumpka Tea Party

Brian Glicklich
CEO
How Handy is That, LLC